

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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: No. 1:14-md-02542 (VSB)
IN RE: KEURIG GREEN MOUNTAIN SINGLE-SERVE :
COFFEE ANTITRUST LITIGATION :
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**DECLARATION OF ELAINE EWING IN SUPPORT OF DEFENDANT'S
MOTION TO DISMISS CONSOLIDATED AMENDED
INDIRECT PURCHASER CLASS ACTION COMPLAINT**

1. I am an attorney at the law firm of Cleary Gottlieb Steen & Hamilton LLP, counsel for defendant Keurig Green Mountain, Inc., f/k/a Green Mountain Coffee Roasters, Inc., and as successor to Keurig, Incorporated. I have personal knowledge of the following and, if called upon to testify, could and would do so competently as to the accuracy of the matter stated herein.
2. Attached hereto as Exhibit 1 is a true and correct copy of Exhibit 3 to the Declaration of Kathy Hybsch in Support of Plaintiff's Motion for a Preliminary Injunction, 1:14-md-02542-VSB, Document 87-3, Filed August 11, 2014, which is an email from John Overton to Kathy Hybsch dated July 7, 2014.
3. Attached hereto as Exhibit 2 is a true and correct copy of the Transcript of Motion to Dismiss Hearing, *Cornelison v. Visa USA, Inc.*, No. CIV03-1350 (S.D. Cir. Ct. Sept. 28, 2004).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: October 6, 2014



Elaine Ewing
Cleary Gottlieb Steen & Hamilton LLP
2000 Pennsylvania Avenue, NW
Washington, DC 20006
Phone: (202) 974-1500
Fax: (202) 974-1999
eewing@cgsh.com